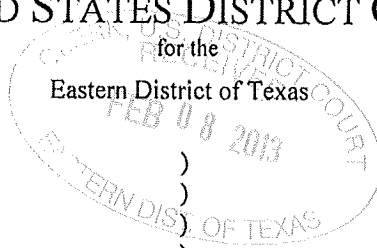


AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the
Eastern District of Texas



Blue Spike, LLC

Plaintiff(s)

v.

Texas Instruments, Inc.

Defendant(s)

Civil Action No. 6:12-CV-499 LEAD

6:12CV594 CONSOLIDATED

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Last.fm Ltd.
Karen House, 1-11 Baches Street
London, United Kingdom, N1 6DL

c/o Texas Secretary of State
1019 Brazos St, Room 220
Austin, TX 78701

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney,

whose name and address are: Eric M. Albritton
ALBRITTON LAW FIRM
P.O. Box 2649
Longview, Texas 75606

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 1/10/13



CLERK OF COURT

David Nakano

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 6:12-CV-499

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for (name of individual and title, if any) Last. fm Ltd.
 was received by me on (date) 1-14-13.

☐ I personally served the summons on the individual at (place) _____
 on (date) _____; or

☐ I left the summons at the individual's residence or usual place of abode with (name) _____
 _____, a person of suitable age and discretion who resides there,
 on (date) _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on (name of individual) Michael Osta - Authorized Acceptance, who is
 designated by law to accept service of process on behalf of (name of organization) Texas Secretary
of State - registered agent for Last. fm Ltd. on (date) 1-23-13; or

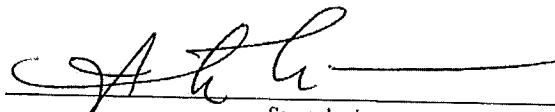
☐ I returned the summons unexecuted because _____; or

☐ Other (specify): _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ Per invoice
0.00

I declare under penalty of perjury that this information is true.

Date: 1-23-13


 Server's signature
Juanita Aleman - Process Server
 Printed name and title

1504 San Antonio Street Austin TX
 Server's address
78701

Additional information regarding attempted service, etc:



PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF MARIN

RE: Blue Spike, LLC Cases – Proof of Service of Summons on Last.fm

I am a resident of the United States and employed in the County of Marin, over the age of 18 and not a party to the within action or proceedings; my business address is 44 North San Pedro Road, San Rafael, California.

- February 4, 2013 letter addressed to clerk of court.
- Proof of Service of Summons on Last.fm though the Texas Secretary of State.

On **February 4, 2013**, I served the above document on the interested parties and/or through their attorneys of record by depositing the original or true copy thereof as designated below, at San Rafael, California, addressed to the following as follows:

Clerk of Court William M. Steger Federal Building and United States Courthouse 211 West Ferguson Street, Room 106 Tyler, Texas 75702	
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- (X) **BY U.S. MAIL:** I caused said document(s) to be deposited in the United States Mail in a sealed envelope addressed to the persons at the addresses listed above with postage fully prepaid at San Rafael, California, following the ordinary practice at my place of business of collection and processing of mail.
- () **BY ELECTRONIC MAIL:** I caused said document(s) to be mailed electronically to:
- () **BY FACSIMILE:** I caused said document(s) to be faxed to the above address.

Executed on **February 4, 2013**, at San Rafael, California.

Maureen Muldavin



E-mail Address of Sender: rgarteiser@ghiplaw.com

Via U.S. Mail FEB 8 2013
CLERK, U.S. DISTRICT COURT
RECEIVED
EAST DIST. OF TEXAS

Randall Garteiser
GARTEISER HONEA, PC
44 N. San Pedro Road
San Rafael, CA 94903
(415) 785-3762

Clerk of Court
William M. Steger Federal Building and United States Courthouse
211 West Ferguson Street, Room 106
Tyler, Texas 75702

Date: February 4, 2013

RE: Blue Spike, LLC Cases – Proof of Service of Summons on Last.fm

Dear Clerk of Court:

Attached please find the proof of service for the summons issued on Last.fm Ltd. through the Texas Secretary of State.

Randall Garteiser